

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

KEVIN RAY PATTERSON,

Defendant.

CIV. NO. S-05-0285 EJG

CR. NO. S-99-0551 EJG

ORDER TO SHOW CAUSE

This matter was before the court on November 17, 2006 for a status conference on defendant's section 2255 motion. Assistant U. S. Attorney Steven Lapham appeared on behalf of the United States. Albert Sterwerf, counsel for defendant, failed to appear.¹ The court considers Mr. Sterwerf's failure to appear a serious violation of this court's order, filed November 3, 2006, causing unnecessary delay of the case and inconvenience to the court and opposing counsel.

Accordingly, attorney Albert Sterwerf is directed to appear and show cause why appropriate disciplinary action should not be

¹. The personal appearance of defendant, who is incarcerated on this conviction out of state, was waived.

1 taken against him. Among the actions under consideration by the
2 court are monetary sanctions payable to the court's non-
3 appropriated fund, striking of documents purportedly filed by
4 attorney Sterwerf in this action, referral to the State Bar of
5 California, and criminal contempt. See Eastern District of
6 California, Local Rules of Practice, Rule 83-184.

7 A hearing on the order to show cause will be held at 10:00,
8 Friday December 8, 2006 in Courtroom No. 8 of the above-entitled
9 court. Any documents in support of or in opposition to the
10 court's order to show cause shall be filed and served no later
11 than December 1, 2006.

12 The Clerk of Court is directed to serve a copy of this order
13 on attorney Albert Sterwerf, Assistant U.S. Attorney Steven
14 Lapham, and defendant Kevin Ray Patterson.

15 IT IS SO ORDERED.

16 Dated: November 20, 2006

17 /s/ Edward J. Garcia

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EDWARD J. GARCIA, JUDGE
19 UNITED STATES DISTRICT COURT
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